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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,997	01/07/2005	Shy-Shiun Chern	Self filing by inventor	9516

7590 03/21/2006
Shy-Shiun Chern
470 S Sleepy Meadow Lane
Anaheim, CA 92807

EXAMINER

CHERRY, EUNCHA P

ART UNIT	PAPER NUMBER
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2872

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/520,997	Applicant(s) CHERN, SHY-SHIUN	
	Examiner EUNCHA P. CHERRY	Art Unit 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claims 1-14 are objected to because of the following informalities:

Regarding claim 1, the word "td" on line 12 appears to be a type and should be changed to "to".

Regarding claims 1 and 2, the phrase "desired direction" on last line and line 3, respectively, is unclear how the term "desired" is being interpreted. It appears that the word "desired" can be replaced with "predetermined" or an appropriate correction is required.

Allowable Subject Matter

2. Claims 1-14 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter: claims are allowable at least for the reason that the prior art does not teach or reasonably suggest the cantilever that is bent such that the hammer end portion is spaced apart from the deflecting member, thereby storing a restoring force in the cantilever, to a pumping position and where the hammer end portion strikes the deflecting member so as to force the deflecting member to tilt about the fulcrum shaft as set forth in the claimed combination.

Art Unit: 2872

Lin (US 6,215,921 B1) discloses an optical switch for routing an optical signal comprising a base (Fig. 7, 104) having a shaft (Fig. 8, 120), a deflecting member (106) mounted movably on the base and tiltable about the fulcrum shaft so as to be adapted for deflecting the optical signal (see movement of 106 in Fig. 9), a plurality of elongated cantilevers (128 in Fig. 7) disposed on the base and arranged around the deflecting member, each of the cantilevers having a hammer end portion (130) and coupling end portion (134), but does not disclose the cantilever that is bent such that the hammer end portion is spaced apart from the deflecting member, thereby storing a restoring force in the cantilever, to a pumping position and where the hammer end portion strikes the deflecting member so as to force the deflecting member to tilt about the fulcrum shaft.

Conclusion

4. This application is in condition for allowance except for the following formal matters:

See objection set forth above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

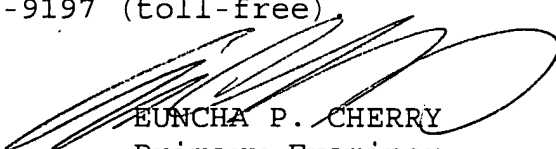
A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Art Unit: 2872

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUNCHA P. CHERRY whose telephone number is 571-272-2310. The examiner can normally be reached on M-F 6:30-4:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DREW DUNN can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



EUNCHA P. CHERRY
Primary Examiner
Art Unit 2872

3/19/06